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Joint Inspection Unit

Funding and staffing of the Office of the United Nations High Commissioner for Human Rights

Note by the Secretary-General

The Secretary-General has the honour to transmit for the consideration of the General Assembly his comments on the recommendations of the Joint Inspection Unit contained in its report on the funding and staffing of the Office of the United Nations High Commissioner for Human Rights (A/62/845).

I. Introduction

1. In its resolution 61/159 on the composition of the staff of the Office of the United Nations High Commissioner for Human Rights (OHCHR), the General Assembly took note of the report of the Joint Inspection Unit (A/61/115) and the Secretary-General's comments thereon (A/61/115/Add.1) and requested the Joint Inspection Unit to assist the Human Rights Council to monitor systematically the implementation of the resolution, inter alia, by submitting to the Human Rights Council in May 2009 a follow-up comprehensive report on the implementation of the recommendations contained in the report of the Joint Inspection Unit. In the same resolution, the Assembly reaffirmed that the Fifth Committee is the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters.

2. Of the 10 recommendations included in its report, the Joint Inspection Unit considered that only 4 needed further action by OHCHR and/or the Secretariat. Three of the four recommendations centre on the need for OHCHR to improve the geographical diversity of its staff.

3. Based on General Assembly resolution 61/159 and on the recommendations contained in its previous reports, the Joint Inspection Unit decided to include in its 2007 programme of work a review of the funding and staffing of OHCHR focusing on the involvement of Member States in funding mechanisms, budget processes and implementation of the programme of work of the Office; and on the issue of the

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geographical composition of its staff. The Joint Inspection Unit also decided to issue the present review as an interim report and to submit the comprehensive report to the Human Rights Council in May 2009, as requested by the General Assembly in resolution 61/159.

4. The OHCHR strategic framework, programme budget and programme of work are formulated within the framework of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation[1] and the Financial Regulations and Rules of the United Nations. The planning, programming and budget process of OHCHR is undertaken in strict adherence to the Charter of the United Nations, in particular Articles 17[2] and 18, with full respect for the prerogatives of the principal organs of the United Nations, full respect for the authority and the prerogatives of the Secretary-General as the Chief Administrative Officer of the Organization and in recognition of the need for Member States to participate in the determination of the budget. The biennial strategic framework and the biennial programme budget cover all activities of OHCHR, both substantive and servicing, including those to be financed partially or fully from extrabudgetary resources.

5. Mechanisms for the involvement of Member States in the review of the biennial strategic framework and the associated biennial programme budget concerning human rights activities are already in place, contrary to what is implied by the Joint Inspection Unit in its objective for the review of funding and staffing of OHCHR. As with other programmes of the Organization, the Advisory Committee on Administrative and Budgetary Questions, the Committee for Programme and Coordination, relevant specialized intergovernmental bodies, and the relevant Main Committees of the General Assembly, including the Fifth Committee, consider the work of the Organization throughout the planning, programming, monitoring and evaluation cycle. It would appear that the intention of the Joint Inspection Unit was to make recommendations for additional mechanisms, including the Human Rights Council, to review the work of OHCHR.

II. Programme management

Recommendation 1

OHCHR should undertake deliberate measures to link the budget and planning process to results and managerial performance, in line with a results-based management approach, as part of a more rigorous monitoring and evaluation framework.

6. Throughout 2007, OHCHR continued its efforts strengthen management and planning, building on progress made with the results-based biennial strategic planning for the biennium 2006-2007 and taking into account lessons learned. The strategic planning process for the biennium 2008-2009 provided a key opportunity to further promote and apply results-based management at OHCHR. Four sessions

[1] ST/SGB/2000/8. In its resolution 58/269, the General Assembly requested the Secretary-General to prepare for submission to the Assembly a strategic framework to replace the medium-term plan.

[2] Article 17.1 reads: "The General Assembly shall consider and approve the budget of the Organization".

of staff training on results-based management were conducted as an integral part of the strategic planning process and further such staff training is planned for 2008. The preparation of strategic plans for the biennium 2008-2009 placed special emphasis on the articulation of the intended changes resulting from OHCHR interventions and the definition of indicators, which have been reflected in a results matrix for the logical frameworks developed by respective branches and field presences. These plans were systematically reviewed, both from a substantive and costing point of view by the Programme and Budget Review Board, which comprises senior managers primarily responsible for substantive and management functions in OHCHR. The Board also reviews reallocation and additional allocations of extrabudgetary contributions, as necessary, during the biennium. Furthermore, a Financial Monitoring Committee has been established to monitor all aspects of the financial situation of the Office, with a view to enhancing coherence between programme planning, implementation and funding.

7. Developing and refining indicators to measure achievements against the expected accomplishments remains challenging, owing largely to the nature of the Office's work. Based on experience gained in the biennium 2006-2007, the Office is currently refining its monitoring framework by setting the indicator standards, developing baselines, targets and necessary means of verification.

8. The Office's planning and monitoring process includes a mid-year and an annual review, which aim at assessing progress towards the intended results and lessons learned at the level of the different organizational units, and the Office as a whole, by the Senior Management Team. The findings are captured in annual reports for internal management purposes and reflected in an annual public report. The mid-year review also includes a systematic assessment of key management performance indicators, as set out in the High Commissioner's Compact with the Secretary-General, to help ensure that the Office is on track in meeting those goals. A comprehensive Office evaluation policy has been adopted and an annual evaluation plan developed. The focus for the new biennium will be on a reduced number of higher quality evaluations with an emphasis on analysing effectiveness and results.

9. The Secretariat programme performance report, prepared at the end of each biennial period, provides information on final results of all Secretariat programmes in a results-based manner. Departments and offices record relevant programmatic information in the Integrated Monitoring and Documentation Information System (IMDIS), reporting not only on outputs, but also on recording methodologies for data collection on indicators of achievement and results achieved, as well as an assessment of programme performance, including lessons learned. IMDIS has been accepted as the Secretariat-wide system for performance monitoring and reporting. OHCHR, as part of the Secretariat, complies with the IMDIS reporting requirements.

10. Therefore, OHCHR is already in full compliance with recommendation 1 and is taking all possible measures to link its budget and planning process to results and managerial performance, in line with a results-based management approach.

Recommendation 2

The General Assembly should instruct the High Commissioner to seek the advice and the views of the Human Rights Council in the preparation of the

proposed strategic framework and the associated budget requirements for human rights activities, prior to the finalization of these documents.

11. Attention is drawn to General Assembly resolution 45/248 B, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with the responsibilities for administrative and budgetary matters, and reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions. In that resolution, the Assembly also expressed concern at the tendency of its substantive committees and other intergovernmental bodies to involve themselves in administrative and budgetary matters.

12. Pursuant to that resolution, the Secretary-General has paid particular attention to ensuring that substantive specialized intergovernmental bodies, including the Human Rights Council, do not consider administrative and budgetary matters. It is noted, at the same time, that according to the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation, the programmes and subprogrammes of the proposed strategic framework (formerly the medium-term plan) shall be reviewed by the relevant sectoral, functional and regional intergovernmental bodies, if possible, during the regular cycle of their meetings, prior to their review by the Committee for Programme and Coordination, the Economic and Social Council and the General Assembly.

13. In her recent interactive dialogue with the Human Rights Council on 7 March 2008, the High Commissioner responded to the questions raised about the Council's role in the review of the OHCHR strategic framework/strategic management plan by saying that she was prepared to consider submitting the biennial strategic framework for discussion in the Human Rights Council on a voluntary basis prior to its submission to the Committee on Programme Coordination. In accordance with General Assembly resolution 45/248 B, administrative and budgetary matters will continue to be presented to the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee for their consideration.

Recommendation 3

OHCHR should establish an appropriate Board of Trustees for the Voluntary Fund to Support the Activities of OHCHR, which would review and approve the specific projects and activities to be financed by the Fund.

14. With regard to comments made in paragraph 19 of the report of the Joint Inspection Unit concerning acceptance of voluntary contributions and conditionalities attached thereto, attention is drawn to paragraph 23 below.

15. The Trust Fund for the Support to the Activities of OHCHR was established by the Secretary-General in 1993 to cover contributions intended to support the substantive work programme implemented by OHCHR complementing existing regular budget resources. The voluntary contributions, both earmarked and unearmarked, received under this trust fund are programmed in the context of the OHCHR strategic management plan, and the projects to be financed therefrom are presented by programme managers for review by the Programme and Budget Review Board noted above. The Board, which comprises the Deputy High Commissioner, Division Directors, the head of the New York Office, the Chiefs of Programme Support and Management Services and the Donor and External

Relations Section, makes recommendations to the High Commissioner, who approves the projects as part of the overall programme plan for the Office. Other OHCHR trust funds established are primarily for the provision of grants to external partners for their implementation of human rights projects in a specific programme area.

16. The Secretary-General does not consider that the establishment of an advisory board with external membership is necessary for the efficient and effective management of the extrabudgetary funds that complement the work of OHCHR, particularly as such resources complement existing regular budget resources for the activities of the Office and are already included in the context of the proposed programme budget for each biennium and are scrutinized by both the Advisory Committee on Administrative and Budgetary Questions and the Fifth Committee.

III. Resources

17. Under its main findings and conclusions, the Joint Inspection Unit refers to the level of approved OHCHR resources for the biennium 2006-2007 of US$ 265.3 million. Subsequently, the Joint Inspection Unit refers, in paragraph 22 and in tables 2 and 3, to a figure of $93.5 million in regular budget resources for the biennium 2006-2007, which derives from the OHCHR appropriation set out in table 23.3 of the proposed programme budget for human rights (A/62/6 (Sect. 23)) and from the proposed programme budget for the Regular Programme of Technical Cooperation (A/62/6 Sect. 22). On the basis of the figure of $93.5 million, the Joint Inspection Unit further concludes that OHCHR resources in the biennium 2006-2007 increased by 48.8 per cent over the revised appropriation for the biennium 2004-2005. The appropriation for the biennium 2006-2007 for OHCHR should reflect the figure reported in paragraph 23.8 of A/62/6 (Sect. 23) of $87,603,300. It should be noted that the figure in table 23.3 of the proposed programme budget for human rights reflects the purely technical redeployment of resources for servicing the Committee on the Elimination of Discrimination against Women from the Department of Economic and Social Affairs in the biennium 2006-2007, as well as resources for the Committee on Missing Persons in Cyprus, which is substantively guided by the Department of Political Affairs. The measurement of the increase in regular budget resources should adhere to the approach adopted by the General Assembly in paragraph 100 of its resolution 62/236 on the proposed programme budget for the biennium 2008-2009, in which it recognized that the appropriation for OHCHR for the biennium 2006-2007 represents a 36.6 per cent increase over the revised appropriation for the biennium 2004-2005.

Recommendation 4

The General Assembly should establish a reasonable balance between the regular budget of OHCHR and the voluntary contributions that could be accepted in support of human rights-related activities.

18. While this recommendation is addressed to Member States, attention is drawn to the variations between assessed and voluntary contributions for the work of the Organization. It is not clear what would constitute "a reasonable balance" between the regular budget and voluntary contributions that could be accepted in support of human rights activities. It is recalled that, in paragraph 124 of its resolution 60/1,

the General Assembly resolved to strengthen OHCHR, taking note of the High Commissioner's plan of action, to enable it to effectively carry out its mandate to respond to the broad range of human rights challenges facing the international community through the doubling of its regular budget resources over the next five years with a view to progressively setting a balance between regular budget and voluntary contributions. In this connection, action has already been progressively taken to address the issue in the context of the programme budgets for the biennium 2006-2007 and 2008-2009. Attention is drawn to paragraph 100 of resolution 62/236 in particular, in which the General Assembly recognized that the overall amount appropriated for OHCHR for the biennium 2006-2007 represents a 36.6 per cent increase over the revised appropriation for the biennium 2004-2005, and decided to use the revised estimates for the biennium 2004-2005 as the baseline for the agreed doubling of resources for the Office.

Recommendation 5

In order to broaden the donor base, the High Commissioner for Human Rights should increase the dialogue with representatives from non-traditional donor countries, with a view to expanding their participation in financing human rights activities.

19. This recommendation is already being implemented by the High Commissioner and her Office. In December 2007, the High Commissioner wrote to all Member States to announce a universal donorship drive to coincide with the sixtieth anniversary of the Universal Declaration of Human Rights. The aim of the appeal is to convince all 192 Member States, or as close to that number as possible, to signal their support for the United Nations human rights programme by making a financial contribution commensurate with their means. As at late January 2008, the appeal had already generated considerable interest, with at least 10 Member States that had not previously contributed to OHCHR indicating their intention to do so in 2008.

Recommendation 6

The General Assembly should instruct OHCHR to strengthen its efforts to convince donors to continue to reduce earmarked funding or enhance the flexibility of funds, applying principles such as the Good Humanitarian Donorship principles.

20. While this recommendation is addressed to the General Assembly, the High Commissioner points out that it reflects existing OHCHR practice. As noted in the report of the Joint Inspection Unit, considerable progress has been made in recent years in persuading donors to lighten or lift earmarking on contributions to the Office. In the space of five years, the proportion of contributions provided free of earmarking has grown from a little over one tenth of the total to nearly half of all voluntary contributions.

21. It should also be noted that, in 2006, 63 per cent of all voluntary contributions to OHCHR were earmarked, and not 63 per cent of the voluntary funds donated by the top 20 donors, as indicated in paragraph 29 of the Joint Inspection Unit report.

Recommendation 7

The High Commissioner for Human Rights should inform the Human Rights Council of the voluntary contributions, which are received by OHCHR, their allocation, as well as the conditionalities that may be attached to them.

22. In 2006, OHCHR replaced an annual appeal for contributions with a biennial strategic management plan that outlines the focus of its planned activities, in line with the strategic framework for the Office and the High Commissioner's plan of action approved by the General Assembly. The resources required to support those planned activities are enumerated in detailed cost plans, and Member States are encouraged to make voluntary contributions in support of that strategic management plan. The Office subsequently provides an annual report to Member States regarding implementation of the plan, including details on contributions received and related expenditures. In this manner, the Office maintains accountability to Member States, and specifically to the donors, for the use of the contributed funds for the implementation of the work programme set out in the strategic management plan.

23. In recommendation 7, the Joint Inspection Unit calls upon the High Commissioner to inform the Human Rights Council of the voluntary contributions received by OHCHR, as well as the conditionalities that may be attached to them. In this connection, attention is drawn to financial regulation 3.11, whereby voluntary contributions, whether or not in cash, may be accepted by the Secretary-General provided that the purposes for which the contributions are made are consistent with the policies, aims and activities of the Organization and provided that the acceptance of such contributions that directly or indirectly involve additional financial liability for the Organization shall require the consent of the appropriate authority. Thus, proposed contributions with conditionalities that are not compliant with the Organization's regulations and rules are not accepted.

IV. Human resources management

Recommendation 8

The General Assembly should introduce a temporary maximum level on the recruitment of new Professional staff (between the P-1 and P-5 levels) to OHCHR from overrepresented regions, until such time as a geographical balance has been reached.

24. The Joint Inspection Unit asserts in paragraph 41 of its report that, as regards the geographic diversity of OHCHR staffing "the situation has not significantly improved". However, the report goes on to note that the most recent figures for regular staff, covering the period between 2006 and 30 June 2007, show a slight improvement, with a drop of 5 per cent in the number of staff from the Group of Western European and other States. The decline of 5 per cent does not refer to the number of staff from that region, as stated in the report, but rather, to the shift in the overall percentage of regional representation, which is a considerably more significant indicator. Furthermore, a 5 per cent shift within a period of only six months (from 31 December 2006 to 30 June 2007) does in fact reflect significant progress in improving the geographic diversity of the Office.

25. In view of the above, a more detailed account of the actions taken to date by OHCHR, with figures updated to the end of 2007, may allow for a fuller analysis of the results.

26. As reported previously, in 2006, the High Commissioner introduced new procedures and a framework for improving geographic diversity in the Office, which included a mechanism to review the recruitment process in each case prior to final selection, to ensure that every effort had been made to identify and select qualified candidates from targeted countries and regions, in full consideration of and adherence to the Staff Regulations and Rules of the United Nations. Since the introduction of those new measures, 72 (60 per cent) of the total of 122 selection decisions for Professional posts were from regions identified as requiring improved representation within OHCHR. This is a clear improvement, particularly in consideration of the fact that 35 (70 per cent) of the 50 selections from Western countries were internal staff selected for higher-level posts, thereby having no net effect on the geographic balance of the Office.

27. The Office has made similar progress with regard to senior (P-5 and above) posts. Of the 32 selection decisions made for senior posts since the procedures were introduced, 19 (60 per cent) of the selected candidates were from regions requiring improved representation within OHCHR.

28. Indeed, as shown in the table below, these efforts have now been sustained long enough to produce a measurable shift in the geographic composition of the OHCHR staff. On 31 December 2006, 64.1 per cent of the total Professional staff were nationals of countries from the Group of Western European and other States. That figure had dropped to 60 per cent by 30 June 2007 and dropped further to 58.4 per cent by 30 September 2007. The final end-of-year figures show that the trend continued, with 57.5 per cent of the total Professional staff being nationals of the Group of Western European and other States, a reduction of 7 percentage points in one year.

	All OHCHR Professional staff							
	31 December 2006		*30 June 2007*		*30 September 2007*		*31 December 2007*	
Region	*Number*	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*	*Number*	*Percentage*
Africa	44	11.1	51	12.3	53	12.5	55	13.1
Asia	47	11.9	52	12.6	54	12.7	53	12.6
Latin America and Caribbean	38	9.6	45	10.9	51	12.0	50	11.9
Eastern Europe	13	3.3	17	4.1	19	4.5	20	4.8
Western Europe and other	253	64.1	248	60.0	248	58.4	241	57.5
Total	**395**		**413**		**425**		**419**	

29. It is important to note that the Office relies on the only approved indicators available to monitor its progress, namely, the system of desirable ranges mandated by the General Assembly. Extrapolating the midpoint levels of representation required by the system of desirable ranges on a regional basis and comparing with

OHCHR statistics reveals a more positive situation than that depicted in the current and previous reports of the Joint Inspection Unit.

30. The table below shows that OHCHR has higher representation than the midpoint under the General Assembly mandated scheme in three regions (Africa, Latin America and the Caribbean and Western Europe).

	Office of the United Nations High Commissioner for Human Rights All Professional staff, 31 December 2007		*Midpoint Secretariat, 31 July 2007*	*Actual Secretariat, 31 July 2007*
Region	*Number*	*Percentage*	*Percentage*	
Africa	55	13.1	12.0	13.2
Asia	53	12.6	27.9	19.0
Latin America and Caribbean	50	11.9	9.7	11.2
Eastern Europe	20	4.8	6.5	9.3
Western Europe and other	241	57.5	43.7	47.4
Total	**419**			

31. It is true that, based on the targets mandated by the General Assembly, nationals from the Group of Western European and other States group are overrepresented in OHCHR, while nationals from both Asia and Eastern Europe are underrepresented. The Office remains committed to addressing this situation by focusing its recruitment efforts on those regions.

32. Thus, the Office will continue to vigorously implement the High Commissioner's procedures and framework for improving geographic diversity, maximizing the opportunity afforded by its continued growth in the biennium 2008-2009 by extending its outreach efforts. A human rights national competitive recruitment examination was held in February 2008, for which the Office of Human Resources Management specifically invited participation from eligible Member States in the regions underrepresented in OHCHR. An encouraging number of Member States have taken this opportunity.

33. OHCHR has also received support at the legislative level. The Third Committee took up the matter in 2006 and proposed a number of concrete measures to redress the geographical imbalance of the staff of OHCHR. These include the establishment of a temporary mechanism whereby recruitment for extrabudgetary posts at the P-2 level is not restricted to successful candidates from the national competitive recruitment examinations, but can also be drawn from underrepresented Member States through the normal recruitment process; participation is also encouraged from a broader range of Member States in the associate experts programme. The Fifth Committee, in taking up the matter of human resources, subsequently included a specific reference to OHCHR in General Assembly resolution 61/244. In the resolution, the Assembly requested that the Secretary-General present, in consultation with the Office of the United Nations High Commissioner for Human Rights, proposals to address the imbalance in the geographical distribution of the staff in that Office. The report of the

Secretary-General (A/61/823) detailing the above and other measures is still to be considered. In addition, the Assembly, in its resolution 62/236, requested a report on the results achieved from measures introduced to improve the balance in the geographical distribution of staff for consideration at its sixty-third session.

34. In paragraph 33 of its report, the Joint Inspection Unit recognized that real change would take place over time, but called upon OHCHR to reverse the current trend of increasing recruitment from overrepresented regions. The Secretary-General in his comments (A/61/115/Add.1), agreed that further efforts were needed to address the issue of geographical distribution, and noted that steps were being undertaken to improve the situation in OHCHR but that their impact would be tangible only in the medium term. As the figures presented above clearly show, OHCHR has significantly reversed the trend of recruitment from overrepresented regions. The success is even more noteworthy given the fact that it was achieved within a very short period of time. It is thus apparent that the strategy being pursued by OHCHR to increase the geographic diversity of its staff is appropriate and effective, and should be maintained.

V. Conclusion

35. The Office of the United Nations High Commissioner for Human Rights has policies and procedures in place to ensure the effective management of its resources using results-based management principles, and the effective management of its trust funds. The High Commissioner fully recognizes the role of the Human Rights Council in accordance with the regulations and rules, policies and procedures of the Organization. In this regard, submission of the biennial strategic framework to the Human Rights Council prior to its submission to the Committee for Programme and Coordination for its review and subsequent approval by the General Assembly could be considered.

36. In respect of human resources management, every effort will be made to build on the improvements already achieved and to attain geographic diversity of the OHCHR staff in line with the system of desirable ranges mandated by the General Assembly.